

ALABAMA REVOKES SOUTHERN CHARTER

Due to Removal of Suit
from State to Federal
Court.

"OUTLAW ACT" IS APPLIED TO ROAD

Statute Recently Enacted Com-
pels State Officials to Declare
Charter Revoked—Presi-
dent Roosevelt May Call
Conference to Con-
sider Remedy.

MONTGOMERY, ALA., August 2.—Announcement was made to-day by Secretary of State Frank N. Julian that he had revoked the franchise of the Southern Railway Company because it had removed a case from the State Circuit of Talladega county to the United States Circuit Court at Birmingham. This action of the Southern is alleged to be in violation of the two outlaw acts passed by the State Legislature last winter, each of which provides that such removal should be punishable by a revocation of the charter of the offending railroad.

One of these laws, the better known, was declared unconstitutional by United States Judge Thomas G. Jones, but the other has never been enjoined by the Federal courts. For this reason the action of the State official was taken under the provisions of the second of these "outlaw acts."

The State insists that this second outlaw act is still in force and it is entirely proper to act under its provisions, while the adherents of the railway contend that the act of revocation is in contempt of the Federal court injunction, at least in spirit. Neither side would make an authoritative statement of the probable course to be pursued in the controversy to-day.

Details of Procedure.
The action of the Secretary of State is not in resistance of the restraining order issued by the United States Court of the Fifth Circuit, as this law is not among those combated by the railroads and not included in any of the litigation now pending in the court of Federal Judge Jones, of the middle Alabama district.

The case upon which the revocation was made out came from the Circuit Court of Talladega county in the shape of a notification from Clerk J. D. McNeel that a suit had been removed from the State court to the Federal court. Secretary of State Julian looked into the law and found that there was nothing else to do but mark the license canceled, as the action of the statute is automatic.

Provisions of Outlaw Act.
Act 86 provides that when any foreign corporation is sued in the State courts, and removed such suit from the State to the Federal court, the clerk of the court from which the removal was taken will at once certify such action to the Secretary of State, "who shall thereupon immediately cancel said license and make and enter upon the stub thereof an order in substance."

ALARM IS FELT IN WASHINGTON

Department of Justice Perturbed
by Hostility of Several
States.

WASHINGTON, D. C., August 2.—Officials of the Department of Justice seemed to talk for publication about the action of the State of Alabama in revoking the license of the Southern Railway to do intrastate business for its carrying of its right against the two-cent rate law into the Federal court. It is known, however, that they are becoming thoroughly alarmed at the way all the States are preparing to fight out the situation.

It is thought to be probable that Mr. Roosevelt will take some action that will put an end to the clash of jurisdiction in the various States. It is reported here privately to be his intention to have a conference with some of his advisers, in the hope of devising means for an amicable settlement which will protect the interests of all parties concerned.

Finley Refused to Talk.

NEW YORK, August 2.—President W. W. Finley of the Southern Railway was at the Broadway offices of the company for a short time to-day, but took an afternoon train for the South. He refused to comment upon the revocation of the company's license to do business in the State of Alabama.

PERE MARQUETTE WILL NOT RESIST

Michigan Railway Will Obey
Two-Cent Fare Statute
Just Passed.

DETROIT, MICH., August 2.—F. W. Stevens, general solicitor for the Pere Marquette Railroad, has sent a letter to C. L. Glasgow, State Commissioner of Railroads, announcing in behalf of Receiver Harmon and the road's stockholders that the Pere Marquette will not contest the recently enacted two-cent fare law. The law goes into effect September 28th.

Mr. Stevens says in his letter that the desire to abide by the public sentiment in Michigan in favor of a two-cent rate outweighs the "well-grounded"

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BREECH LOCK OF BIG GUN BURSTS

Three French Sailors are
Blown to Atoms; Five
Others are Injured.

EXPLOSION WAS TERRIFIC ONE

Cause of Disaster a Mystery, and
Searching Inquiry to Be
Made by Naval Authori-
ties—Outbreak in
Morocco Grows
Serious.

TOULON, August 2.—The breech-lock of a hundred-millimetre gun was blown off to-day on board the gunnery schoolship Couronne during target practice in Salins Roadstead, and three persons were killed and five wounded. The force of the explosion was terrific, and the bodies of the dead men were so badly mutilated as to be almost unrecognizable. Three of those wounded are in a serious condition.

As soon as he learned of the accident, Admiral Marquis sent the armored cruiser Latouche Treville to the assistance of the Couronne. The dead and wounded were then taken aboard the cruiser, which conveyed them to the naval hospital at St. Mandrier, where everything had been prepared for their reception.

The accident caused a sensation in the town, where most of the members of the crew of the Couronne belong, and flags are at half mast as a sign of mourning.

Cause of Explosion Mystery.
The cause of the explosion is a mystery. It was believed at first that the accident was due to the breech closing mechanism not working, but a subsequent examination failed to establish this as the cause.

A question was also raised concerning the quality of the powder used in the gun, but nothing tangible was ascertained. The commander of the Couronne has sealed all the guns on board the vessel, with the view of having a board of inquiry investigate the explosion.

A similar accident occurred on board the Couronne in 1905, when three men were killed and a number wounded.

Troops for Casa Blanca.
RANGIER, August 2.—Upon the request of the governing body, the State Bank has advanced 50,000 douros (about \$100,000) to Mr. Minister Gabbas to permit him to send troops to Casa Blanca.

Almost all the French residents of Casa Blanca have taken refuge on board an English cargo boat in the harbor. This vessel is still at Casa Blanca.

The government commanders, having received no orders to suspend operations against the bandit Raoult, who is holding captive Sir Harry Maclean, began to burn native villages. They have sent the heads of several insurgents into Tetuan.

**MAGILL AND BRIDE
HOLD FOR MURDER**

Indictments Returned Against
Both for Causing Death of
First Wife.

CLINTON, ILL., August 2.—The grand jury which has been investigating the death of Mrs. Pet Magill, the first wife of Frederick Magill, who, with his second wife, is in jail here, having been brought back from California to answer to the charge of having caused the death of Mrs. Pet Magill to-day returned one indictment against Magill and one indictment against Mrs. Pay Graham Magill. The indictments were exactly alike, each containing six distinct counts.

The six counts in each indictment are as follows: That Mrs. Pet Magill was murdered by the administration of arsenic; that the murder was done by arsenic; that she was smothered with a quilt; that she was strangled to death by chloroform; that she committed suicide as the result of a compact and agreement with the defendants; and by the administration of poison. The death was caused by the defendants, by some means unknown to the grand jury.

Magill and his bride of four weeks were in the courtroom when the indictments were returned.

WILLIAMS QUARRY HAS NO STRIKE

Largest Plant at Arvonja Run-
ning Full Blast and Making
Large Shipments.

While a large number of slate-makers and laborers in the slate quarries of Buckingham are on strike, the largest and oldest quarries, at Arvonja, operated by the Williams Slate Company, are not affected. A special to The Times-Dispatch from Arvonja, printed on another page, states that this company is now working to its fullest capacity and shipping slate to all parts of the country.

The Williams quarry, of which an illustration was printed on Tuesday, but at which there has been no strike and probably will be none, is 400x1000 feet, is 300 feet deep and has been operated for about twenty-five years. Mr. E. B. Williams is president of the Williams Slate Company, and the report that his men were involved in the strike was erroneous.

Police on Trail of Suspected Assailant and Assassin of Eight-Year-Old Katie Lieshler, and Have Others in Custody

Man Believed to Have
Committed Brutal Dou-
ble Crime Missing.

ARE WORKING ON SLENDER CLEW

With No Positive Evidence
Against Man, Officers Reason
That He Must Have Guilty
Knowledge of
the Mur-
der.

NEW YORK, August 2.—With Annie Messner in the Tombs, held without bail, and with Gaetano Rippolone and Giuseppe Bonfante under bonds as witnesses, the police search for the criminal who maltreated and murdered eight-year-old Katie Lieshler was directed to-night toward the finding of a man generally known as "Jake." The last name of the man was not revealed.

They know that "Jake" was so well acquainted with the girl as to have her confidence. They know he was familiar with the tenement at No. 203 First Avenue. He was known to the Messner woman and to the shoemaker, Rippolone, who are held in connection with the crime. They have learned that he has not been seen in the neighborhood of the crime since Thursday, when the child was lured or carried into the dark cellar.

His description corresponds with that of a man who, with a woman, was seen coining a child to continue with him at the One Hundred and Twenty-fifth Street station of the subway. They appear to be certain that they will place the man in custody in a few hours.

The man "Jake" they said to-night, is of foreign birth and is about thirty years old. He is of dark complexion and has a small black mustache. He has been known around the neighborhood as long as the Messner woman.

No Positive Evidence.

There is no positive evidence against the man, the police admit, nor, as a matter of fact, is there anything against the Messner woman. The police theory that the murderer was known to the child and must have known the place to which he or she or other person took her, is responsible for all action so far.

No stranger, they say, could have lured the eight-year-old girl into a dark hallway, and it would have been impossible for a seizure to have taken place on the sidewalk. First Avenue is a very crowded thoroughfare around Thirtieth Street at all hours. In view of all this the police declared to-night that they had no idea that the perpetrators of any of the other crimes against children in the city had anything to do with this. The man guilty came from the neighborhood, and may be within a stone's throw of the scene to-day, they have decided.

Suspect Promptly Discharged.

[Special to The Times-Dispatch.]
NEW YORK, August 2.—The police are utterly at sea, so far as the wave of crime sweeping over this city is concerned. Not an arrest has been made, and none will be made, in any of the atrocious cases that have stirred the country during the last few weeks. The department is paralyzed and doesn't know whither to turn.

Miron L. Carter was taken before a magistrate to-day in connection with the death of eight-year-old Katie Lieshler, but the police were afraid to charge him with anything. Carter was taken into custody following an autopsy on the body of the child, which was found in the cellar of a house on First Avenue on Thursday morning.

The girl had been missing from her home in East Thirtieth Street, just around the corner, for a week. The result of the autopsy held yesterday was summed up in a few words by prominent surgeons: "Never have we seen a body in such terrible condition."

Carter, when apprehended, was amazed, and when taken before Magistrate Butts, was discharged at once. The only charge against him was that he was alleged to have said the girl's body would be found within a block of her home. This remark, it was proved, was entirely speculative, and such as any one reading of the case might make.

Why Woman Is Held.

Dora Messner, who is charged with having made threats against Katie when the Messner woman was ejected from the Lieshler apartments, was held by Coroner Harburger without bail. She would make no statement.

Gaetano Rippolone, the shoemaker, was sent to the house of detention as a suspicious person by the coroner in default of \$1,000 bail to insure his appearance at the inquest.

It is generally admitted by the police that they can do nothing.

WILL NOT ENJOIN THREE CENT FARE

Federal Judge Refuses to Inter-
vene in Memphis
Car Case.

MEMPHIS, TENN., August 2.—Federal Judge McCall to-day denied a petition of the Central Trust Company of New York City, holder of the Memphis street railway bonds, asking an injunction to restrain the city of Memphis from inaugurating three-cent street car fare. The case has been appealed to the State Supreme Court from the State Circuit Court, the issue being the constitutionality of the city ordinance. The suit for a Federal injunction was entered pending a decision from the State Supreme Court.



KATIE LIESHLER

CHINESE SOCIETIES IN DEADLY FEUD

Rival New York Orientals De-
liberately Shoot Down
Boston Chinks.

ONSLAUGHT IS UNEXPECTED

BOSTON, MASS., August 2.—Burning with hatred for their deadly enemies belonging to the rival On Leong Tong Society, a band of New York Chinamen, numbering a dozen or more, and said to be members of the notorious Hop Sing Tong organization, entered an alley in Chinatown to-night and drawing revolvers, opened fire upon half a dozen Chinamen, killing three and injuring several. At the first volley the Chinamen rushed for their quarters, stumbling over one another in their haste to reach shelter. The Hop Sing Tong men chased their victims into their own doorways and shot them down as they rushed up stairs or into sidestreets. Then, casting away their guns, the strange visit ran from the Chinese quarter, most of them escaping the police.

The dead: Wong Su Jung, restaurant proprietor; Chin Lee, aged thirty-five, laundryman; Chin Mon Qing, aged forty-eight, merchant.

The injured, Lee Kai, aged twenty-nine; Shang Gu, aged twenty-eight, and Jong Gu probably were fatally injured. The others are in a serious condition.

Immediately after the shooting one of the Hop Sing Tong men from New York was captured by a policeman as he was running away. The man gave the name of Nim Sing. He was dressed in American clothes. Later, an officer at the south station took him into custody. Jong Woon, aged thirty-four, of New York, whose hands were powder-stained, both prisoners are charged with manslaughter.

The police placed under arrest on suspicion seven other Chinamen who are strangers in the local colony. The shooting occurred in Oxford Place, in the center of Chinatown, where about fifty Chinamen were smoking in the open air. Fully fifty shots were fired. That the visitors shot with careful accuracy was apparent from the fact that each of the three men killed was shot through the heart.

The trouble of to-night has been anticipated for more than a week. About ten days ago nearly a dozen Chinamen, who were all strangers, came to Boston and rented rooms near Chinatown.

The police were notified of the fact by Boston Chinamen, who feared trouble. Special details of police were at once placed on duty in the Chinese quarter, and the strangers suddenly disappeared.

The trouble is attributed by some to the shooting which occurred in Philadelphia recently, for, it is alleged, both Chinamen were partially to blame. It is thought that the Chinamen who did the shooting to-night came from New York to punish the On Leong Tong for the Philadelphia outbreak.

UNWRITTEN LAW INVOKED AGAIN

Georgia Husband Kills Life-
Long Friend on Complaint
of Wife.

SAVANNAH, GA., August 2.—A special to the Savannah News from Baxley, Ga., says:

Last night, seven miles south of here, N. A. Burnside was instantly killed by Clarence Gilmore, his lifelong friend, schoolmate and boarder for many months. Both moved here from Columbia, S. C., a few months ago, and had been engaged in the steam sawmill business. Gilmore came in last night and surrendered to the sheriff. He stated that after retiring last night his wife informed him that during the day Burnside had made improper proposals to her. Gilmore got out of bed and upon entering the room of Burnside, killed him, using a shotgun.

CONFERENCE HELD FAR INTO NIGHT

State Officials Consider
Rate Matter, but Reach
No Conclusion.

MANY RAILWAY ATTORNEYS HERE

Governor Announces That He
Will Call Extra Session of
Legislature if Asked to
Do So by the Corpo-
ration Commis-
sion.

Nothing Decided Yet.

The conference which took place last night at the Richmond Hotel, and at which were present Senator Daniel, Hon. A. C. Braxton, the Attorney-General, Hon. Henry C. Stuart and Governor Swanson, was not concluded until 1:30 o'clock. This morning. Some of the gentlemen would discuss the conference, nor would any of them say what action would be taken by the State.

Another conference will be held this morning.

Yesterday afternoon a conference was held by the attorneys representing the various Virginia railroads interested in the Virginia rate situation. There were present Hon. Henry Wickham, of the Chesapeake and Ohio; Hon. Alexander Hamilton, of the Atlantic Coast Line; Hon. Alfred Thom, of the Southern, and Messrs. Lucian H. Cocke and J. I. Doran, of the Norfolk and Western.

What action was taken, if anything definite was decided upon, was not disclosed.

Discussion of the railroad rate situation and of Governor Swanson's announcement that, if requested to do so by the State Corporation Commission, he will call a special session of the General Assembly, continues to hold the interest and the attention of the people of Virginia.

Several conferences were held here yesterday. Attorney-General Anderson, Senator Daniel and Hon. A. C. Braxton were present, but all three declined to make public the result of their deliberations. Governor Swanson, in discussing the situation earlier in the day said:

"If the State Corporation Commission should request me to convene the General Assembly at Virginia to consider some recommendation to be presented under paragraph 1, section 156, of the Constitution, to amend the provisions of the Constitution in reference to fixing rate charges, etc., etc., in order to eliminate some difficulties in connection with the pending case in Virginia, fixing rates, I would accede to their request, and would convene the General Assembly of Virginia for that purpose."

Governor Swanson declined to discuss the question at greater length, saying the matter was in the hands of the Corporation Commission. It is known, however, that the Governor has been in communication with the members of the General Assembly, and that he has received assurances that the stand he has taken will meet with their approval.

What It Means.

The question now is whether the Corporation Commission will request the Governor to call an extra session of the Legislature or choose some other course of defeating the injunction granted by Judge Pritchard. Two of the three members of the commission are at present out of the city. Both Judge Prentiss and Captain Willard, however, are in close touch with Mr. Stuart, who is in Richmond, and a meeting of the body can be had at any time.

It is pointed out that an extra session of the Legislature will cost the State about \$50,000, and that it could not be convened before October. The regular session will begin early in January, but three months later. On the other hand, it is said, that the expense of an extra session will not exceed the cost of defending the suits now in progress in North Carolina, and that for this reason the State officials feel justified in calling a session, which will, it is said, settle the rate matter before the regular term of the United States Supreme Court in the fall.

Officials Indignant.
Section 156 of the Constitution, from paragraph A to paragraph I, can be amended at a single session of the Legislature, on recommendation of the State Corporation Commission, for such recommendations approved by the General Assembly will become immediately a part of the Constitution.

In these paragraphs are included all the powers, methods of procedure and duties given the Corporation Commission in fixing, regulating and enforcing rate charges. A State official said last night:

"The officials of the State feel very indignant at the conduct of the railroads after spending more than eight months in preparing a case before the Corporation Commission, where they were given a full and fair hearing; were permitted to introduce all the evidence desired, and had a right to demand from the decision of the commission to the Court of Appeals of Virginia and then to the Supreme Court of the United States."

"Pending the appeal, bond could have been given and the rate could have been suspended. That the commission should make a new case on account of the injunction of Judge Pritchard, and be required to go over again the case in all its details, with witnesses



The larger illustration shows the little girl, Katie Messner, who was murdered, and the crowd assembled about the house where her body was found. The lower cut shows the young woman recently murdered, and whose identity is still unknown.

MIDNIGHT SESSION OF TOWN COUNCIL

Ashland Stirred Up Over Widening of Railroad Tracks on Principal Street.

[Special to The Times-Dispatch.]
ASHLAND, VA., August 2.—Lively times are expected to-morrow morning as one of the results of a mass meeting of the citizens to-night, followed by the first midnight session of the Town Council in the history of the corporation. The whole town is figuratively "in arms" because of the proposed widening of the space between the Richmond, Fredericksburg and Potomac tracks on Railroad Street, one of the main thoroughfares of the town. In order that the Western Union telegraph poles may be placed between the tracks, citizens are bitterly opposed to the railroad tracks taking up more space than at present, and counsel for the town have advised them that the corporation has the right to control the thoroughfare in question.

To-night citizens to the number of 150 met in the Town Hall, Dr. Chambers Roy presiding. Stirring addresses were made, and at the conclusion a strong resolution was adopted, calling for immediate action by the Council to prevent continuance of the work by the proposed widening of the tracks. The Council was apprised of the nature of the resolution he called a meeting of the municipal fathers, and these not up were gotten out of their beds to attend.

Action was taken, for soon after the midnight session the following resolution was spread on the town's records: "Whereas it appears from a resolution passed at a meeting of the citizens of the town of Ashland, held in pursuance to a call of the Mayor that the wish of the people of the town that the moving of the tracks of the Richmond, Fredericksburg and Potomac Railroad in Railroad Street should not be permitted, nor the poles of the Western Union Telegraph Company placed in the street; be it

Resolved, That the Mayor of the town be, and is hereby, instructed to prevent any act toward widening said track or in putting poles in street within the corporation limits."

Work was begun yesterday, and when it is resumed to-day the Town Sergeant will arrest the workmen by order of the Mayor.

MACHEN LOSES IN COURTS; GIVES UP

Three Judges Refuse to Grant
Mandamus and Senator
Returns Home.

After three Richmond judges had declined to take action in the matter, Senator Machen gave up the fight for the publication of his proposed constitutional amendments to-night and went back to his home in Alexandria. As stated heretofore, the last Legislature passed two resolutions providing for amendments to the State Constitution. Clerk Williams, of the Senate, has declined to publish them on account of certain irregularities of the entry on the Journal of the State Senate, the resolutions having been entered by title instead of in full, as required by law. All three of the judges and Attorney-General Anderson sustain Clerk Williams in his contention, and the resolutions are void.

Gave Up the Fight.

Senator Machen arrived in Richmond on Thursday evening, and at once went before Judge Witt, of the Hustings Court, with an application for mandamus proceedings to compel Clerk Williams to publish the resolutions as required by law. Judge Witt declined to act in the matter, holding that the resolutions were void.

Yesterday morning, therefore, Senator Machen, the patron of the amendments, together with Hon. Eugene C. Massie and Hon. Richard E. Byrd, of the House of Delegates, and Clerk Jno. W. Williams, went before Judge Ingram, in the Law and Equity Court, where the matter was argued at length. Judge Ingram took the case under advisement, and about 3 o'clock gave an oral opinion, declining to grant the writ of mandamus, but stating that his action was without prejudice to any other court.

Nothing daunted, Senator Machen and his colleagues sought Judge R. Carter Scott, of the City Circuit Court at his residence, late yesterday afternoon, and laid the whole matter before him. Judge Scott agreed in substance with the other two judges, and with the Attorney-General that the resolutions were in themselves void, and that therefore it would be useless to compel their publication. Senator Machen then announced that he would give up

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